

### **REMARKS/ARGUMENTS**

The Office Action of April 7, 2004, has been carefully considered.

It is noted that claims 1-4 are rejected under 35 U.S.C. §102(b) over the patent to Miller.

Claims 8-10 are rejected under 35 U.S.C. §102(b) over the patent to Gottschalck.

Claims 5-7 are rejected under 35 U.S.C. §103(a) over Miller in view of Gottschalck.

In view of the Examiner's rejections of the claims, Applicant has canceled claim 9 and amended claims 1, 2, 4, 8 and 10.

It is respectfully submitted that the claims now on file differ essentially in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references, and particularly to the patent to Miller, it can be seen that this patent discloses a stocking blank. Miller does not disclose a sock having a heel portion with a Y-shaped double gore line, as in the presently claimed invention.

The heel of Miller includes a main heel gore line with two further gore lines that branch from the main gore line at different places. Furthermore, in the present invention the gore line starts at the center of the heel whereas Miller's gore line is off center.

With the gore line of the present invention, the evenly split two line portions at the end of the main line portion creates a much deeper heel pocket than the prior art, and enhances the tugging effect of the elongated main heel gore line. By having a deeper heel pocket, the tendency to have the sock turn around the wearer's foot is reduced and prevents the leg portion of the sock from being pulled down. Miller does not disclose such a construction.

In view of these considerations, it is respectfully submitted that the rejection of claims 1-4 under 35 U.S.C. §102(b) over the above-discussed reference is overcome and should be withdrawn.

The patent to Gottschalck discloses a seamless hosiery and method of making the same. Applicant submits that Gottschalck does not disclose the invention presently recited in independent claim 8. In claim 8, the mid section with the second diameter is of a greater length than the upper section with the first diameter. Gottschalck, on the other hand, teaches the first section (a) having a greater length than the mid section (b).

In view of these considerations, it is respectfully submitted that the rejection of claims 8-10 under 35 U.S.C. 102(b) over the above-discussed reference is overcome and should be withdrawn.

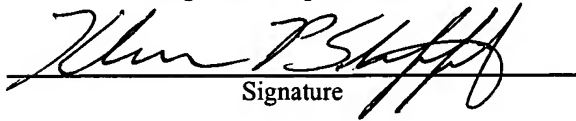
The Examiner then combined Miller with Gottschalck in determining that claims 5-7 would be unpatentable over such a combination. Applicant respectfully submits that neither of these references, taken either alone or in combination teach a Y-shaped double gore line as recited in the claims presently on file.

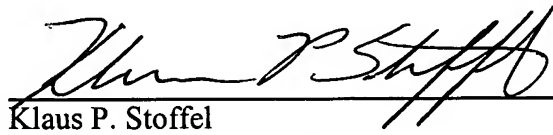
In view of these considerations, it is respectfully submitted that the rejection of claims 5-7 under 35 U.S.C. §103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested. In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 30, 2004:

Respectfully submitted,

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June 30, 2004  
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